



# U.S. Bankruptcy Court Newsletter

## Inside this issue:

Web Site Redesign	2
Employment Order Templates for Chief Judge Curley's Court	2
Document Preparers to Begin Filing June 1	3
Data Quality Analysts Begin Duties at Phoenix and Tucson	6
District Filing Statistics	8-10
National Filing Statistics	11-12

## Self-Help Center Opens at Phoenix Court; To Be Staffed by Volunteer Attorneys as of 04/07/05

The Phoenix office of the Arizona bankruptcy court now includes a Self-Help Center for pro se debtors and creditors, in operation since February 8, 2005. The Self-Help Center is located on the 6<sup>th</sup> floor of the U.S. courthouse and federal building at 230 N. First Ave. Hours of operation are

11:30-1:30 every Tuesday and Thursday.

To reach the Self-Help Center, you may phone the court's intake counter at **602-682-4201** or dial the main operator at **602-682-4200**.

As of April 7, 2005, one to two volunteer bankruptcy attorneys will



be available during the Center's open hours

to provide 20- to 30-minute consultations. Pro se debtors or creditors who want to use the Self-Help Cen-

(Continued on page 5)

## §

Arizona's *U.S. Bankruptcy Court Newsletter* is a publication of court policies, procedures, and information designed to assist the public and members of the bar.

*Sarah Sharer Curley, Chief Judge*

*George B. Nielsen, Jr., Judge*

*Redfield T. Baum, Judge*

*James M. Marlar, Judge*

*Charles G. Case II, Judge*

*Randolph J. Haines, Judge*

*Eileen W. Hollowell, Judge*

*Terrence S. Miller, Clerk of Court*

*Marta H. Labus, Editor*

## Attention: Attorneys and Trustees: Are the Court Addresses on Your Notices Correct for Phoenix and Tucson?

All notices in the USBC electronic database bear the correct addresses for the Phoenix and Tucson court offices. Attorneys and trustees should likewise ensure that their own notices do not direct court clients to the wrong locations. Some Phoenix office clients have appeared for hearings at Phoenix Plaza because they have received notices with this outdated address.

Please make sure all notices designating the Phoenix court location indicate the following address:

**U.S. Bankruptcy Court  
230 N. First Ave. Ste 101  
Phoenix, AZ 85003**

For notices designating the Tucson court location the address should read:

**U.S. Bankruptcy Court  
38 South Scott Ave.  
Tucson, AZ 85701**



## Web Site Redesign: *We Want Your Input*



As a result of the court's 2005 Strategic Planning initiative, a committee has been formed to plan the redesign of the court's web site, with the stated goal of improving the Internet site's content and functionality, in order to make it "interactive, user-friendly, and mission-directed."

The Web Site Redesign Committee would like to have input from external users on how to improve both content and functionality. Do you have suggestions on how to make [www.azb.uscourts.gov](http://www.azb.uscourts.gov) easier for you to use? What information and what kind of links do you want to see on the court's redesigned web site?

If you have suggestions for the redesign committee to consider at its monthly meetings, please call the court's Operations Manager, Randy Merrill, at 602-682-4040. You may also e-mail Randy at [randy\\_merrill@azb.uscourts.gov](mailto:randy_merrill@azb.uscourts.gov).

## Online Judges' Procedures: Employment Order Templates Provided by Chief Judge Curley



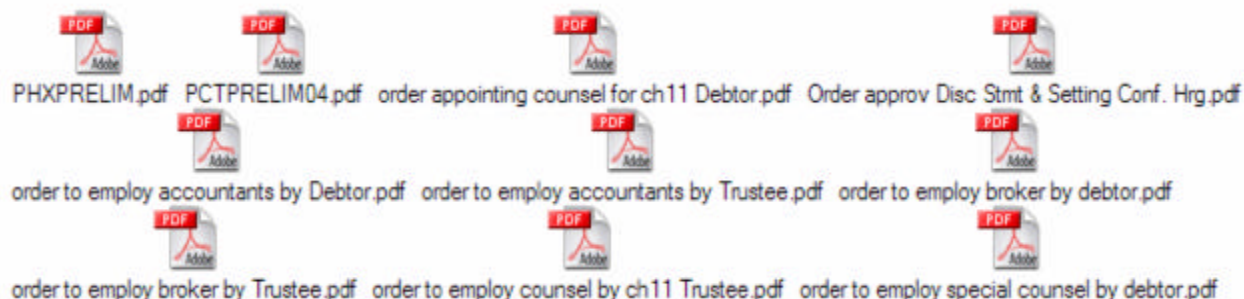
You will find **employment order templates** for Chief Judge Sarah Sharer Curley's court on the court's web site at [www.azb.uscourts.gov](http://www.azb.uscourts.gov). To access the templates, click on "Judges' Proce-

dures" in the list at the right of the court's home page. Then proceed to Judges' Procedures for Judge Sarah Sharer Curley. Scroll all the way to the bottom of the list of procedures. The employ-

ment order templates, in downloadable PDF format, will appear as reproduced below:

### File for Download:

File Type: Adobe Acrobat



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**



**ANNOUNCEMENT REGARDING ELECTRONIC FILING OF CERTAIN  
DOCUMENTS BY DOCUMENT PREPARERS**

Starting June 1, 2005, all document preparers who prepare documents for filing in the Bankruptcy Court will be required to electronically file those documents on the court's Case Management/Electronic Case Files (CM/ECF) system. Document preparers will be issued limited CM/ECF filing passwords which will permit them to electronically file with the court certain documents they prepare.

The process in general will be for the debtors to file their bankruptcy petition and the Social Security Number Statement on paper and pay the filing fee. The Bankruptcy Court clerk's office will open the bankruptcy case on the CM/ECF system and docket the petition and social security number statement. After the case has been opened and assigned a case number, the document preparer, using the special use password, will then electronically file the mailing list, schedules and statements. Document preparers will also electronically file their petition preparer disclosure required by Section 110 of the Bankruptcy Code.

This notice is being sent to all document preparers currently certified by the Arizona Supreme Court. If you prepare documents for filing in the Bankruptcy Court, the requirements in this notice apply to you and go into effect June 1, 2005.

The Bankruptcy Court clerk's office will be conducting training classes for document preparers at its Phoenix and Tucson offices during the months of April and May 2005. To obtain the CM/ECF password you need to comply with the electronic filing requirements, you need to attend one of the training classes. To schedule training, call 602-682-4900 for classes in Phoenix and 520-202-7552 for classes in Tucson. Enclosed are the hardware and software required to be able to file documents electronically. *\*(Please see the list on p. 7 of this issue. —Ed.)* More information regarding the Bankruptcy Court's electronic filing system is available at the court's web site, [www.azb.uscourts.gov](http://www.azb.uscourts.gov). Click on the Electronic Case Filing (ECF) link and then the Reference Manuals link.

Dated: March 24, 2005

Terrence S. Miller  
Clerk of Court



## Chief Bankruptcy Judge Sarah Sharer Curley Attends 9th Circuit Conference in Laguna Beach



Chief Bankruptcy Judge Albert E. Radcliffe of the District of Oregon, shown seated with Ninth Circuit Chief Judge Mary M. Schroeder, presided over his first meeting as the new chair of the Conference of Chief Bankruptcy Judges. Also attending the Dec. 2-3 meeting in Laguna Beach, Calif., were, from left, Terry L. Myers (ID); Brett J. Dorian (CAE), representing recalled bankruptcy judges; Sarah S. Curley (AZ); Gregg Zive (NV); Elizabeth L. Perris of Portland, BAP chair; Philip H. Brandt (WAW); Barry Russell (CAC); John A. Rossmeissel (WAE); Michael S. McManus (CAE); John J. Hargrove (CAS); Robert J. Faris (HI); and Ralph B. Kirscher (MT).

## 230 Cafeteria to be Completed Summer 2005

Soon attorneys, members of the public, and USBC employees won't have to leave the Phoenix 230 building to find a quick sandwich or salad.

Construction of the cafeteria at the 230 N. First Ave. courthouse will begin this



spring and will be completed during the summer of 2005. The cafeteria will be

located on the first floor, across from the 341 hearing room, and behind the glass wall.



## Self-Help Center Opens at Phoenix Court; To Be Staffed by Volunteer Attorneys as of 04/07/05

*(Continued from page 1)*

ter's services may call in for an appointment or sign up in person at the court's first-floor intake counter.

Bankruptcy attorney Diane Drain is coordinating the Self-Help Center volunteer attorney program. Besides keeping the appointment log for the Center, Ms. Drain has drafted a questionnaire for Self-Help Center clients to fill out prior to their appointments.

The questionnaire, which will be available at the USBC intake counter after approval by the Chief Judge and the Clerk of Court, is designed to identify any substantive legal issues for the attorneys counseling pro

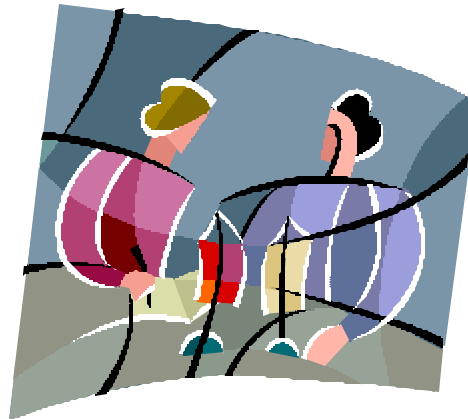
se filers. The form will also offer key questions that will help debtors decide on a filing chapter and understand bankruptcy exemptions.

The questionnaire is also intended as an aid for volunteer attorney whose practice lies primarily with creditors, so that they can identify debtors' issues. Ultimately the form will be placed on the court's web site in fillable PDF file format.

Ms. Drain and attorney Anthony Clark will staff the Self-Help Center on the April 7 opening day. Mr. Clark has created a bankruptcy instructional video that he plans to offer to the court for use at the intake

counter. It will also be used to familiarize creditor attorneys who volunteer at the Center with debtors' concerns.

The Self-Help Center was created as a means of fulfilling the court's commitment to public education and information, mandated by its Strategic Planning goals. Attorneys who would like to volunteer for service at the Self-Help Center should contact the coordinator, Ms. Diane Drain.



## Thanks from the Yuma Office. . .

The Yuma office wants to **thank** all the **attorneys** and **law firms** from the Yuma, Mohave, and La Paz counties who are filing cases and pleadings electronically. You are all doing a very good job. Just remember, our office staff is available from 9 a.m. to 4:00 p.m. Monday through Friday to answer any and all of your questions. You can download our phone directory from the U.S. Bankruptcy Court web site at [www.azb.uscourts.gov](http://www.azb.uscourts.gov).





Four new USBC Data Quality Analysts are now aiding ECF internal and external users district-wide. Based in the Phoenix office are DQA's Sue (former ECF liaison), Cindy, and Krystal. At the Tucson office Kathy is the resident DQA. In addition to their individual direct lines, a DQA help line has been established; users in any location can reach all DQA's by calling the help line to request assistance.

**DQA Help Line**  
**602-682-4900**

The number rings first in Phoenix, then in Tucson, and then goes to voice mail.

The new DQA's, who began their duties March 7, 2005, will also be serving as a technical resource for court staff and reviewing the accuracy and quality of the CM/ECF data entered into the case management database. From this data, they will be able to chart work team performance and progress.

DQA's have already trained groups of court users on selected ECF processes and procedures and will also offer training to attorney users and their secretaries and paralegals. In addition, the DQA's are responsible for maintaining the CM/ECF User Manual and

other user documentation. They will communicate system updates and new procedures to attorney users and assist in developing methods for reducing user error and increasing the ease and speed of system use.

Individual direct telephone numbers for the USBC's DQA's are as follows:

<b>Sue.....</b>	<b>602-682-4068</b>
<b>Cindy .....</b>	<b>602-682-4218</b>
<b>Krystal.....</b>	<b>602-6892-4058</b>
<b>Kathy .....</b>	<b>520-202-7552</b>



## District Court Filing Fees Rise in 2005; But Bankruptcy Court Fees Unchanged For Now

~Source: *The Third Branch*, Vol. 37, Issue 2, February 2005

Fees for filing in federal district courts rose in the new year, but bankruptcy court fees remain unchanged at present.



Effective February 7, 2005, the cost of filing a civil action in U.S. district courts rose to \$250. The increase in statutory fee, which was previously set at \$150, was authorized when the President signed into law the Consolidated Appropriations Act of 2005.

The Judicial Conference has determined that the new fee will have no impact on the fee for filing a motion to lift the automatic stay imposed under Item 20 of the Bank-

ruptcy Court Miscellaneous Fee Schedule, which previously linked the amount of that fee to the amount of the fee for filing a civil action under 28 U.S.C. § 1914. Likewise, the fee for filing an adversary proceeding under Item 6 of the Bankruptcy Schedule will remain at \$150, pending review of the fee.



## **HARDWARE/SOFTWARE REQUIRED FOR ECF**

- (1) A personal computer running a standard platform such as Windows, Windows 95, Macintosh, Linux or Solaris with a minimum of 8Mg memory (32MB is recommended)
- (2) An Internet provider using point to point protocol (PPP) (128 bit encryption is recommended).
- (3) Netscape Communicator software Version 4.7. or higher. Version 4.7 is available from Netscape without charge at:

<http://www.netscape.com/download>

Or Internet Explorer software Version 5.5, available from Microsoft without charge at:

<http://www.microsoft.com/windows/ie/downloads/default.asp>

- (4) Adobe Acrobat Reader, Version 5.05 (or latest version) which can be downloaded without charge at:

<http://www.adobe.com/proindex/acrobat/readsteD.html> or

<ftp://ftp.adobe.com/pub/adobe/acrobatreader/>

To file documents in an ECF case you will need, in addition to the above, the following:

- (1) Adobe Acrobat Writer software to convert documents to portable document format:(PDF's). Only documents in PDF format can be filed on ECF. Bankruptcy forms software often include a PDF converter which will convert, the mailing list, schedules and statements to PDF format so that separate Adobe Acrobat Writer software is not needed for these documents.
- (2) A scanner to image those documents you have not created, such as exhibits to the schedules or statements. Some scanner software also may include a PDF converter to convert the scanned image to PDF format.



**United States Bankruptcy Court**  
**District of Arizona**  
**Filing Statistics Analysis**  
**Calendar Year 2004 vs. 2005**

<b>CHAPTER 7</b>	<b>PHOENIX</b>		<b>%</b>	<b>TUCSON</b>		<b>%</b>	<b>YUMA</b>		<b>%</b>	<b>DISTRICT</b>		<b>%</b>
	<b>2004</b>	<b>2005</b>		<b>2004</b>	<b>2005</b>		<b>2004</b>	<b>2005</b>		<b>2004</b>	<b>2005</b>	
January	1146	1089	(5.0)	286	326	14.0	96	88	(8.3)	1528	1503	(1.6)
February	1309	1171	(10.5)	392	364	(7.1)	138	110	(20.3)	1839	1645	(10.5)
March	1862			589			178			2629		
April	1725			521			141			2387		
May	1571			451			143			2165		
June	1636			512			140			2288		
July	1556			458			136			2150		
August	1654			478			137			2289		
September	1483			477			121			2081		
October	1445			445			127			2017		
November	1349			407			108			1864		
December	1277			347			90			1714		
TOTALS	18013			5363			1555			24931		





**United States Bankruptcy Court**  
**District of Arizona**  
**Filing Statistics Analysis**  
**Calendar Year 2004 vs. 2005**

<u>CHAPTER 11</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2004	2005		2004	2005		2004	2005		2004	2005	
January	13	18	38.5	8	1	(87.5)	0	0	0.0	21	19	(9.5)
February	11	4	(63.6)	3	6	100.0	0	0	0.0	14	10	(28.6)
March	17			3			2			22		
April	9			5			0			14		
May	10			4			3			17		
June	10			4			0			14		
July	13			3			1			17		
August	13			1			0			14		
September	16			2			0			18		
October	15			3			0			18		
November	10			3			0			13		
TOTALS	2141			39			6			191		
December	9			0			0			10		

**United States Bankruptcy Court**  
**District of Arizona**  
**Filing Statistics Analysis**  
**Calendar Year 2004 vs. 2005**

<u>CHAPTER 13</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2004	2005		2004	2005		2004	2005		2004	2005	
January	397	348	(12.3)	79	100	26.6	14	7	(50.0)	490	455	(7.1)
February	345	284	(17.7)	87	72	(17.3)	12	9	(25.0)	444	365	(17.8)
March	413			89			9			511		
April	381			80			12			473		
May	322			72			14			408		
June	373			84			12			469		
July	337			72			7			416		
August	347			104			7			458		
September	333			101			11			445		
October	315			89			7			411		
November	308			86			8			402		
December	346			93			13			452		
TOTALS	4217			1036			126			5379		

<u>YEAR TO DATE TOTALS</u>	<u>PHOENIX</u>		%	<u>TUCSON</u>		%	<u>YUMA</u>		%	<u>DISTRICT</u>		%
	2004	2005		2004	2005		2004	2005		2004	2005	
January	1556	1455	(6.5)	373	427	14.5	110	95	(13.6)	2039	1977	(3.0)
February	1665	1459	(12.4)	482	438	(9.1)	150	119	(20.7)	2297	2016	(12.2)
Totals YTD	3221	2914	(9.5)	855	865	1.2	260	214	(17.7)	4336	3993	(7.9)



# NEWS RELEASE

Administrative Office of the U.S. Courts

## Bankruptcy Filings Drop in Calendar Year 2004

**B**ankruptcy filings in the federal courts dropped nearly 4 percent in calendar year 2004, according to data released today by the Administrative Office of the U.S. Courts. Total bankruptcies filed in the twelve-month period ending December 31, 2004, totaled 1,597,462, down 3.8 percent from the 1,660,245 petitions filed in the 12-month period ending December 31, 2003. Despite the decline for 2004, total filings still exceed the 1.5 million bankruptcies first reported in 2002.

**Total Bankruptcy Filings by Bankruptcy Chapter  
Calendar Years, Period Ending  
December 30, 2000-2004**

Year	Chapter			
	7	11	12	13
2004	1,137,958	10,132	108	449,129
2003	1,176,905	9,404	712	473,137
2002	1,109,923	11,270	485	455,877
2001	1,054,975	11,424	383	425,292
2000	859,220	9,884	407	383,894

## New Bankruptcy Judgeships Requested

The Judicial Conference of the United States has recommended to Congress that 47 bankruptcy judgeships be created in 31 judicial districts. The last bankruptcy judgeships were authorized in 1992. Since that time, the total number of bankruptcy filings has crossed the one-million mark; they have totaled over 1.5 million for the last three years. The result has been a nearly two-thirds increase in the caseload of bankruptcy judges nationwide.

*(Continued on page 12)*



# NEWS RELEASE

Administrative Office of the U.S. Courts

## Bankruptcy Filings Drop in Calendar Year 2004

(Continued from page 11)

### Business and Non-Business Filings

The majority of bankruptcy filings are non-business filings and in CY 2004, they totaled 1,563,145, a 3.8 percent decline in non-business filings from the 1,625,208 bankruptcy petitions filed in CY 2003. The number of business filings, totaling 34,317 in CY 2004, fell 2.1 percent from the 35,037 reported in CY 2003.

Business and Non-business Filings  
CY 2000-2004

Year	Business	Non-business	Total
2004	34,317	1,563,145	1,597,462
2003	35,037	1,625,208	1,660,245
2002	38,540	1,539,111	1,577,651
2001	40,099	1,452,030	1,492,129
2000	35,472	1,217,972	1,253,444

### First Quarter Filings for FY 2005

The last three months of CY 2004 were the first quarter of the Judiciary's 2005 fiscal year. The number of bankruptcies filed during the first quarter of fiscal year 2005 (October 1-December 31, 2004) was 371,668, down 5.5 percent from the 393,348 filings in the first quarter of FY 2004 (October 1-December 31, 2003).

### Filings by Chapter

Of the total number of bankruptcy filings for the 12-month period ending December 31, 2004, there were 1,137,958 Chapter 7 filings, down 3.3 percent from the 1,176,905 Chapter 7 filings in the same period in 2003. The next largest group of filings was Chapter 13 filings at 449,129, down 5.1 percent from the 473,137 filings in CY 2003. Chapter 11 filings rose 7.7 percent to 10,132, from the 9,404 filings in CY 2003. In CY 2004, Chapter 12 filings dropped to 108 from the 712 filings reported in CY 2003.

For more information on bankruptcy, visit the Judiciary's website at [www.uscourts.gov/bankbasic.pdf](http://www.uscourts.gov/bankbasic.pdf). Local bankruptcy court rules can be found at [www.uscourts.gov/rules/bk-localrules.html](http://www.uscourts.gov/rules/bk-localrules.html). A breakdown of the latest data on bankruptcy filings is attached and also is available on the Judiciary's website at [www.uscourts.gov](http://www.uscourts.gov) under Newsroom, News releases. Bankruptcy filings over the last 10 years are available at <http://www.uscourts.gov/bnkrpctstats/bankruptcystats.htm>. Additional bankruptcy statistics, including bankruptcies by county, can be found on the Judiciary's PACER system at [http://pacer.psc.uscourts.gov/announcements/general/bkstat\\_rpt.html](http://pacer.psc.uscourts.gov/announcements/general/bkstat_rpt.html).